

### **REMARKS**

This application is a division of U.S. application Ser. No. 09/304,995 filed May 4, 1999 (in issue), which is a continuation of PCT application PCT/EP97/06035, filed November 3, 1997 and designating the U.S., which claims priority to U.S. provisional application Ser. No. 60/030,315, filed November 4, 1996. The present application is filed to receive consideration in the USPTO of non-elected subject matter from the parent application.

U.S. application Ser. No. 09/304,995 was filed on May 4, 1999 with claims 1-15, 18, and 19, preliminarily amended to cover methods for delivering exogenous compounds into cells with defined cationic cytofectin compounds. A second preliminary amendment filed February 18, 2000 added claims 20-34 covering the cytofectin compound of the invention *per se*, and Claims 35-54 directed to liposomes, for use in combination with the cytofectin compounds of Claims 20-34, for delivering exogenous compounds into cells.

A restriction requirement issued September 22, 2000 restricting the claims into two groups, Group I, Claims 20-34 covering the cytofectin compounds, and Group II, Claims 1-15, 18, 19, and 35-54, drawn to cationic liposomes comprising a cytofectin compound, methods of delivering an exogenous compound into a cell with the cationic liposomes, and pharmaceutical compositions comprising the cationic liposomes.

In response, Applicant elected, with traverse, the claims of Group I and the Claims of Group II were eventually withdrawn from consideration.

On May 8, 2001, Applicant filed a Continued Prosecution Application (CPA), reintroducing the subject matter of withdrawn Claims 1-15, 18, 19, and 35-54, canceling Group I "compound" claims 20, 21, and 22 and amending Group I Claims 23, 25, 27, 29, 30, 32, and 34, and Group II Claim 35 (liposome) to further define the method of Claim 1.

A Notice of Allowance issued July 16, 2003.

This application claims subject matter directed to cationic cytofectins capable of intracellular transport of endogenous compounds, for instance, biologically active molecules, across cell membranes as disclosed in the specification. Support for these claims is found throughout the specification as well as in original Claims 1-17. Examples of support for each claim are provided in the list below:

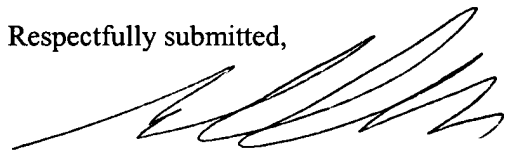
<u>Claim</u>	<u>Support in Specification</u>
Claim 18	page 2; page 6;
Claim 19	page 3, lines 1-19;
Claim 20	page 3, lines 20-30;
Claims 21-22	page 4, lines 12-14;
Claim 23	page 4, lines 12-21;
Claim 24	page 4, lines 26-27;
Claim 25	page 4, lines 16-22;
Claim 26	page 4, lines 26-27;
Claim 27	page 4, lines 23-25;
Claim 28	page 4, lines 28-page 5, line 8;
Claim 29	page 5, line 9;
Claim 30	page 5, lines 10-20;
Claim 31	page 5, lines 21-23;
Claim 32	Example 1, page 12 (compounds a-f); Example 2, page 12 (compounds 1-6); Example 3, page 13; Example 4, page 15 (compounds 1-5), page 17 (compounds 1-3), page 18 (compounds 1-4).

A check for the filing fees accompanies these papers.

The Commissioner is specifically authorized to charge any additional fees deemed to be necessary in connection with the filing of this paper or any of the accompanying papers, or to charge any other fees necessary to complete this U.S. filing, to Deposit Account 50-0268.

Examination on the merits and allowance of the claims are respectfully requested.

Respectfully submitted,



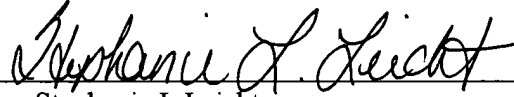
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November 25, 2003

date

A handwritten signature in black ink, appearing to read 'Stephanie L. Leicht', written over a horizontal line.

Stephanie L Leicht

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